

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 30, 1931.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; absent, none.

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same as read. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

A Committee from the Chamber of Commerce presented to the Council a Loving Cup awarded to said organization by the East Texas Chamber of Commerce for outstanding public health activity in the East Texas Inter-Chamber Health Conservation Contest of 1930, and expressed their appreciation to the City Council for the cooperation given them in the health crusade that had been carried on in the City. The Mayor then expressed to the Committee the City Council's appreciation of the splendid work that had been accomplished by said organization along health lines.

City Manager Johnson submitted to the Council the following bids received on Street Improvement Bond Fund Contract #48, being a storm sewer from the east line of Gregory Street to the north line of Hackberry Street, and Street Improvement Bond Fund Contract #49, being culverts across Ohicon and Rosewood Streets:

<u>BIDDER</u>	<u>CONTRACT #48</u>	<u>CONTRACT #49</u>	<u>TOTAL</u>
W. G. Cullum & Co.	\$ 8,658.75	\$ 1,753.50	\$10,412.25
Dallas Construction Co.	9,068.00	1,934.40	11,002.40
G. A. Mauffrais	9,645.50	1,970.00	11,612.50
Schwarzer & Lorey	9,799.00	2,070.80	11,869.80
A. A. Mundt	10,067.50	2,021.00	12,088.50
J. F. Johnson	10,045.00	2,194.50	12,239.50
Frank R. Rundell	10,327.50	2,048.20	12,375.70
J. B. Blackmore	10,664.50	2,095.00	12,759.50
Richard Schmidt		2,232.50	
Julius Johnson		2,867.50	

Councilman Mueller moved that the above bid of W. G. Cullum & Company on Contracts #48 and #49, in the total amount of \$10,412.25, be accepted as the lowest and best bid, and that the City Manager be authorized to enter into contract with said firm for said work. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

This being the day set for the hearing of owners of abutting property and others interested with reference to street improvements to be constructed in the certain Units or Districts of Improvement as follows:

**BRAZOS STREET** from the north line of Alley in Block 161 on the east side and north property line of 13th Street on west side to the south property line of Nineteenth Street, known and designated as Unit or District No. P-123;

**SAN ANTONIO STREET** from the south property line of Ninth Street to the south property line of Eleventh Street, known and designated as Unit or District No. P-125;

**TWENTY-FIRST STREET** from the west property line of Guadalupe Street to the east property line of Rio Grande Street, known and designated as Unit or District No. P-129;

**TWENTY-SECOND STREET** from the west property line of Guadalupe Street to the east property line of Rio Grande Street, known and designated as Unit or District No. P-130;

**TWENTY-THIRD STREET** from the west property line of Guadalupe Street to the east property line of Rio Grande Street, known and designated as Unit or District No. P-131;

**NINTH STREET** from the west property line of Guadalupe Street to the east property line of San Antonio Street, known and designated as Unit or District No. P-144;

TENTH STREET from the west property line of Lavaca Street to the east property line of San Antonio Street, known and designated as Unit or District No. P-145;

the Mayor thereupon stated that all persons desiring to protest against the levying of assessments against abutting property on the above mentioned streets and within the limits above stated, or who desired to be heard with reference to the improvements proposed to be assessed against said property and the owners thereof, the lien and liability thereof, the special benefits to the property and the owners thereof, or any other matters or things authorized by the provisions of Article XXIV of the Charter of the City of Austin to be urged and considered at this hearing, would now be heard from, and thereupon the following persons appeared and were heard:

On Brazos Street from north line of Alley in Block 161 on east side and north property line of 13th Street on West side to south property line of Nineteenth Street:

Fannie M. Wilcox stated that the paving of Brazos Street at this time would work a hardship on her inasmuch as Fifteenth Street is to be paved also, and that she is financially unable to pay for the paving of both streets.

San Antonio Street from the south line of Ninth to south line of Eleventh Streets:

J. L. Hunter stated that the paving would not enhance the value of his property as said street could not be made a thoroughfare on account of its hilly condition and the cut off at Seventh Street.

Twenty-First Street from west line of Guadalupe to east line of Rio Grande Streets:

Mrs. J. T. Horton, by written protest, stated that she was financially unable to pay the cost of paving.

Twenty-Third Street from west line of Guadalupe to east line of Rio Grande Streets:

Chas. G. Wukasch stated that he was willing to pay for the paving of this street provided all the property owners agreed to same, and asked that his property be protected from overflow by means of a drain. The Mayor assured Mr. Wukasch that this would be done if the street were paved.

Twenty-Second Street from west line of Guadalupe to east line of Rio Grande Streets:

Mrs. W. B. Wortham, by written protest, stated that the paving of this street would be a detriment rather than a benefit to her property.

Thereupon L. A. Robbins was called as a witness and after being duly sworn testified that he has resided in the City of Austin for several years; that he is well acquainted with the value of the property abutting upon each of the Units or Districts as to which this hearing was being held; that he is acquainted with the type of paving which is proposed to be constructed upon said Units or Districts as to which this hearing was being held; and that in his opinion each parcel of abutting property would be enhanced in value by reason of the construction of the proposed improvements in an amount in excess of the amount proposed to be assessed against the same, as set out on the Engineer's Roll or Statement on file relating to such Units or Districts of Improvement.

No other witnesses being offered or desiring to be heard, and no other interested parties or owners having requested to be heard, the Mayor thereupon laid before the Council the following ordinance:

ORDINANCE CLOSING HEARING AND  
LEVYING ASSESSMENTS FOR PART OF  
THE COST OF IMPROVING PORTIONS  
OF BRAZOS STREET AND SUNDRY OTHER  
STREETS IN THE CITY OF AUSTIN, TEXAS,  
FIXING A CHARGE AND LIEN AGAINST  
PROPERTY ABUTTING THEREON AND AGAINST  
THE OWNERS THEREOF, PROVIDING FOR THE  
COLLECTION OF SUCH ASSESSMENTS AND THE  
ISSUANCE OF ASSIGNABLE CERTIFICATES  
IN EVIDENCE THEREOF.

The above ordinance was read the first time and Councilman Pannell moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in BONHAM TERRACE from Alta Vista Avenue to Travis Heights Boulevard the center line of which gas main shall be 3 feet south of and parallel to the center line of said Bonham Terrace. Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in EAST SIDE DRIVE from East Monroe Street northerly to Blum Creek, the center line of which gas main shall be 16 feet west of and parallel to the center line of said East Side Drive. Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT wherever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of back filling of the ditches.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Board has recommended to the City Council the removal of the bandstand now located on East Avenue Park, between 17th and 15th Streets, to the Mexican Park; and

WHEREAS, upon investigation, it is found that this bandstand is not being used as such and that it would be practical and economical to have same moved to the Mexican Park; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be instructed to have the bandstand above mentioned moved to the Mexican Park as soon as possible, and that the expense of such removal be charged to the Parks and Playgrounds Bond Fund.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Board has recommended the expenditure of \$2,000.00 additional in order to complete the contemplated improvements at the Mexican Park and Playground;

Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the sum of \$2,000.00 be appropriated out of the Parks and Playgrounds Bond Fund for the purpose above stated.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Board has recommended the expenditure of approximately \$15,000.00 for the improving of South Austin Park along Blunn Creek; and

WHEREAS, it appears to the City Council that this work should be started immediately; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the sum of \$15,000.00 be appropriated out of the Parks and Playgrounds Bond Fund for the purpose above stated.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Board has recommended the expenditure of approximately \$3,000.00 for the beautification of Fifteenth Street between Congress Avenue and Red River Street; and

WHEREAS, the necessity of this expenditure is evident and the work should be completed as soon as possible; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$3,000.00 be appropriated out of the Parks and Playgrounds Bond Fund for the purpose above stated.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Board has recommended the expenditure of approximately \$22,000.00 for the improving of the parkway on East Avenue between 5th and 16th Streets; and

WHEREAS, it appears to the City Council that this work should be started immediately; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the sum of \$22,000.00 be appropriated out of the Parks and Playgrounds Bond Fund for the purpose above stated.

The foregoing resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, through an error a suit for the 1926 city taxes was entered against Mrs. J. R. Brown, Cause No. 47115, the court costs of which was \$6.75; and

WHEREAS, the amount of \$6.75 costs was paid by the said Mrs. J. R. Brown to the District Clerk; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the amount of \$6.75 paid as costs in the above numbered suit be refunded to the estate of the said Mrs. J. R. Brown, she having recently died, and that the City Manager be instructed to cause a warrant for the above amount to be issued to the estate of the said Mrs. J. R. Brown.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, certain accounts, in the aggregate amount of \$477.50, representing charges for the care and maintenance of cemetery lots, have been disputed or have for other reasons proven uncollectible; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Director of Finance be and he is hereby authorized and directed to charge off the following disputed and uncollectible accounts from his records and order further services for the account of such delinquent persons stopped:

<u>SERVICE DATES</u>	<u>NAME</u>	<u>AMOUNT</u>
9-30-26 to 1-1-29	W. P. Allen	Uncollectible \$ 24.00
10- 1-26 " 2-11-27	Joe A. Barbisch	Deceased 36.00
4- 1-30 " 7-1 -30	E. R. Bardenwerper	Moved-left no address 2.25
5-11-27 " "	Mrs. F. S. Bowman	Billed in error 10.50
9-29-27 " 3-1- 28	Mrs. Mary J. Bowman	Disputed 6.00
9-30-26 " 10-1- 26	Walter Bremond, Jr.	Disputed 4.00
9-10-26 " 4-6-28	Mrs. W. S. Butler	Uncollectible 32.50
1-21-27 " 4-6-28	Mrs. W. H. Caldwell	Disputed 18.00
1- 1-30 " 3-1-30	Kate Casparis	Billed in error 3.00
9-30-26 " 4-6-28	Mrs. Robt. Crosby	Uncollectible 21.00
1- 7-28 " 3-1-28	Mrs. Louis Davis	Billed in error 6.00
7-17-29 " 1-1-30	R. R. Gaines	Uncollectible 9.00
1- 1-29 " 7-1-29	H. D. Glossup	Uncollectible 6.75
10- 1-26 " "	Mrs. W. D. Hart	Disputed 4.50
1- 1-30 " 7-1-30	Mrs. W. E. Heslet	Disputed 4.50
1- 1-30 " 4-1-30	Mrs. Alice D. Haynes	Moved-left no address 12.00
10- 1-29 " 7-1-30	Mrs. W. M. Hunter	Uncollectible 36.00
10- 1-30 " 12-1-30	Ed R. Kone	Disputed 4.00
5-16-29 " "	Mrs. Ed Maas	Disputed 1.00
10-30-28 " "	Harvey Maddox	Disputed 5.00
3-30-29 " 7-1-29	K. C. Miller	Uncollectible 13.50
1-1-29 " 3-30-29	Mrs. K. C. Miller	Uncollectible 9.00
9-30-26 " 10- 4-27	Warren Moore	Uncollectible 40.50
10- 1-26 " 9-30-27	Mrs. F. T. Morgan	Disputed 15.50
10- 1-26 " "	Mrs. J. T. Moore	Billed in error 2.00
7-12-28 " 1-1- 30	Mrs. Eliza D. McGowan	Moved-left no address 18.00
1-22-27 " 3-1- 27	Mrs. Doug McQuirter	Disputed 4.00
11-30-28 " "	Oscar Newberg	Disputed 3.00
7-1-29 " "	Mrs. Lawrence Olsen	Uncollectible 3.00
3-30-29 " 7-1-29	Mrs. E. G. Paech	Uncollectible 4.50
9-30-26 " 9-30-27	Mrs. Chas. A. Pinckney	Uncollectible 30.00
7-30-30 " 1- 2-31	Sam Sparks	Disputed 13.50
10- 1-30 " 1- 1-31	Herman VonRosenberg	Disputed 4.50
5- 12-27 " 9-30-27	Liza White	Uncollectible 9.00
1- 7-28 " 4- 6-28	Jno. H. W. Williams	Disputed 12.00
3- 30-29 " 7- 1-29	Mrs. W. R. Wyse	Uncollectible 12.00
5- 12-27 " 9-30-27	L. R. Yarrington	Uncollectible 13.50
10- 1-30 " 1- 2-31	J. E. Hooper	Moved-left no address 12.00
11- 30-28 " "	Lee Caldwell	Disputed 3.00
10- 1-26 " 1-22-27	W. J. Dunham	Uncollectible 9.00

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of Nine Hundred Sixty-eight and 56/100 Dollars (\$968.56) be and the same is hereby appropriated from unincumbered General Fund revenue for the purpose of completing the equipment of the Municipal Abattoir not covered by previous appropriations, as follows:

Office Furniture	\$178.60
Killing-room Hangers	68.74
Refrigerating Equipment	657.49
Insurance during Construction	63.73
	<u>\$968.56</u>

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF EAST AVENUE IN THE CITY OF AUSTIN, TEXAS, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COSTS OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 18th day of December, 1930, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

EAST AVENUE from the north line of Eighth Street to the north line of Tenth Street on the west side and the north line of Alley on the east side, known designated as Unit or District No. P-97; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvements above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City;

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of East Avenue hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said Contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the Ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Engineer's Roll or Statement of H. R. F. Hellend, Consulting Engineer, showing the estimated cost of improvements on West Fourteenth Street from the east property line of Lavaca Street to the west property line of Congress Avenue, known as Unit or District No. P-121; East Fourteenth Street from the east property line of Congress Avenue to the west property line of San Jacinto Street, known and designated as Unit or District No. P-122; and San Antonio Street from the south property line of Eleventh Street to the south property line of Twelfth Street, known and designated as Unit or District No. P-126, was read and ordered filed.

The Mayor then laid before the Council the following resolution:

**RESOLUTION APPROVING AND ADOPTING ESTIMATES OF THE COST OF IMPROVEMENTS AND OF AMOUNTS TO BE ASSESSED FOR IMPROVEMENTS ON A PORTION OF FOURTEENTH STREET AND PORTIONS OF SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, FIXING TIME AND PLACE FOR HEARING TO THE OWNERS OF ABUTTING PROPERTY AND DIRECTING THE CITY MANAGER TO GIVE NOTICE.**

WHEREAS, the City Council of the City of Austin has heretofore ordered that the hereinbelow mentioned portions of highways be improved by raising, grading and filling, and installing concrete curbs and gutters, and by paving with 2 inch Warrenite Bitulithic Wearing Surface on a 5 inch concrete base, with necessary appurtenances, and contract therefor has been made and entered into with Southwest Bitulithic Company; and

WHEREAS, the City Council has caused the Consulting Engineer to prepare and file estimates of the cost of such improvements, and estimate of the amounts per front foot proposed to be assessed against abutting property and the owners thereof, and such estimates have been examined,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

I.

That such estimates be and they are adopted and approved.

II.

That it is hereby found and determined that the cost of improvements on each such portion of highway, with the amount or amounts per front foot proposed to be assessed for such improvements against the abutting property and owners thereof on each such portion of street or highway are as follows, to-wit:

WEST FOURTEENTH STREET from the east property line of Lavaca Street to the west property line of Congress Avenue, known and designated as Unit or District No. P-121.

Estimated cost of improvements is \$6,272.96. Estimated amount per front foot to be assessed for curb and gutter is \$0.65. Estimated amount per front foot to be assessed against abutting property and its owners for improvements exclusive of curb and gutter is \$3.863. Total estimated amount per front foot to be assessed against abutting property and its owners is \$4.513.

EAST FOURTEENTH STREET from the east property line of Congress Avenue to the west property line of San Jacinto Street, known and designated as Unit or District No. P-122. Estimated cost of improvements is \$6,377.58. Estimated amount per front foot to be assessed against abutting property and its owners for improvements exclusive of curb and gutter is \$3.976. Total estimated amount per front foot to be assessed against abutting property and its owners is \$4.626.

SAN ANTONIO STREET from the south property line of Eleventh Street to the south property line of Twelfth Street, known and designated as Unit or District No. P-126. Estimated cost of improvements is \$4,333.09. Estimated amount per front foot to be assessed for curb and gutter is \$0.65. Estimated amount per front foot to be assessed against abutting property and its owners for improvements exclusive of curb and gutter is \$3.318. Total estimated amount per front foot to be assessed against abutting property and its owners is \$3.968.

That a hearing be given and held by and before the City Council of the City of Austin, Texas, to all owning and claiming any property abutting upon any of said portions of streets and highways, as well as all owning and claiming any interest in any such property. Such hearing shall be given and held on the 14th day of May, A.D. 1931, at 10:30 o'clock A. M., in the regular Council Meeting Room in the City Hall in the City of Austin, Texas, and the City Manager is hereby directed to give notice of the time and place of such hearing, and of other matters and facts, in accordance with the terms and provisions of Article XXIV of the Charter of the City of Austin, which Article was added by amendment adopted at an election held on November 24th, 1928, Such notice shall be by advertisement inserted at least three times in a newspaper published in the City of Austin, Texas, the first publication to be made at least ten days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Article XXIV.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council for its second reading the following ordinance:

ORDINANCE PROVIDING FOR CHANGING THE CONTRACT BETWEEN THE CITY OF AUSTIN, TEXAS, AND SOUTHWEST BITULITHIC COMPANY, DATED MARCH 24TH, 1931, SO AS TO DIVIDE UNITS OR DISTRICTS NOS. P-119 AND P-120 EACH INTO TWO UNITS OR DISTRICTS AND PRESCRIBING THE WIDTHS OF THE AREA TO BE IMPROVED IN EACH, AND SO AS TO CHANGE THE DESCRIPTIONS OF THE WIDTH TO BE IMPROVED IN UNIT OR DISTRICT NO. P-124 AND UNIT OR DISTRICT NO. P-146, AMENDING ORDINANCE LETTING SUCH CONTRACT SO AS TO AUTHORIZE SUCH CHANGES AND PROVIDING FOR THE EXECUTION OF SUPPLEMENTAL CONTRACT COVERING SUCH CHANGES AND FOR OTHER NECESSARY MATTERS INCIDENTAL THERETO.

The above ordinance was read the second time and Councilman Pannell moved a suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council for its second reading the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF HARRIS PARK AVENUE AND SUNDRY ALLEYS IN THE CITY OF AUSTIN, LETTING CONTRACT THEREFOR, APPROVING CONTRACT AND BOND, AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF, AND DECLARING AN EMERGENCY.

The above ordinance was read the second time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, DETERMINING THE NECESSITY FOR LEVYING AN ASSESSMENT AGAINST THE PROPERTY AND THE OWNERS THEREOF ON PORTIONS OF EAST SECOND STREET AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, FOR A PART OF THE COST OF IMPROVING SAID STREETS, AND FIXING A TIME FOR A HEARING OF THE OWNERS OR AGENTS OF SAID OWNERS OF SAID PROPERTY, OR OF ANY PERSONS INTERESTED IN SAID IMPROVEMENTS, AS PROVIDED BY THE CHARTER OF THE CITY OF AUSTIN, AND DIRECTING THE CITY MANAGER TO GIVE NOTICE OF SAID HEARING AND EXAMINING AND APPROVING THE ROLL OR STATEMENT OF THE CONSULTING ENGINEER, AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and Councilman Pannell moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Reports of L. E. Whitham & Company and H. R. F. Helland, Consulting Engineer, stating that the paving has been completed on the alleys between First and Second Streets and Colorado and Lavaca Streets, between First and Second and Lavaca and Guadalupe Streets, between Third and Fourth and Colorado and Lavaca Streets, between Third and Fourth and Lavaca and Guadalupe Streets, between Fifth and Sixth and Guadalupe and San Antonio Streets, between Eighth and Ninth and Brazos and San Jacinto Streets, the east one-half of alley between Tenth and Eleventh Streets in Block 122, and alley in Block 67 between San Jacinto and Trinity Streets, in accordance with plans and specifications and recommending the acceptance of same, were read and ordered filed.

The Mayor then laid before the Council the following resolution:

RESOLUTION OF THE CITY OF AUSTIN, TEXAS, ACCEPTING THE IMPROVEMENT OF ALLEY IN BLOCK 4 AND SUNDRY OTHER ALLEYS, IN THE CITY OF AUSTIN, AND AUTHORIZING THE PAYMENT OF THE BALANCE DUE BY THE CITY OF AUSTIN AND THE ISSUANCE AND DELIVERY OF CERTIFICATES OF SPECIAL ASSESSMENT AGAINST OWNERS OF ABUTTING PROPERTY.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That, Whereas, heretofore the hereinafter described alleys were ordered improved, contract for said work of improvement duly entered into, and assessment levied against abutting property and the owners thereof to cover the portion of the cost payable by the said property owners; and

WHEREAS, pursuant to said contract and other proceedings in connection therewith, L. E. Whitham & Company has completed the improvement of the following alleys to-wit:

ALLEY between First and Second Streets in Block 4 from the west line of Colorado Street to the east line of Lavaca Street, known and designated as Unit or District No. P-65;

ALLEY between First and Second Streets in Block 3 from the west line of Lavaca Street to the east line of Guadalupe Street, known and designated as Unit or District No. P-66;

ALLEY between Third and Fourth Streets in Block 28 from the west line of Colorado Street to the east line of Lavaca Street, known and designated as Unit or District No. P-70;

ALLEY between Third and Fourth Streets in Block 27 from the west line of Lavaca Street to the east line of Guadalupe Street, known and designated as Unit or District No. P-71;

ALLEY between Fifth and Sixth Streets in Block 52 from the west line of Guadalupe Street to the east line of San Antonio, known and designated as Unit or District No. P-72;

ALLEY between Eighth and Ninth Streets in Block 96 from the east line of Brazos Street to the west line of San Jacinto Street, known and designated as Unit or District No. P-81;

EAST HALF OF ALLEY between Tenth and Eleventh Streets in Block 122 from the west line of San Jacinto Street to a point 128' west, known and designated as Unit or District No. P-83;

ALLEY in Block 67 between San Jacinto Street and Trinity Street, known and designated as Unit or District No. P-105;

ALLEY in Block 112 between Ninth and Tenth Streets from the east line of Brazos Street to the west line of San Jacinto Street, known and designated as Unit or District No. P-82;

East unit or district shall be and constitute an entirely and wholly separate and independent unit of improvement, the same as if contracted for in separate and distinct contracts. The construction of said improvements in each separate unit or district shall be wholly independent of the construction in any other unit or district. The assessments to be levied in each unit or district shall be made according to the cost of the improvements in that particular unit or district, and in accordance with the benefits accruing to the property by reason of said improvements in that particular unit or district, wholly and entirely independent of the cost and of the benefits accruing by reason of the improvements in any of the other units or districts; and

WHEREAS, said improvement is in strict compliance with the terms of said contract, specifications adopted for said improvement, and other proceedings in connection therewith; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said improvement on said portion of said alleys be and the same is hereby accepted as in full compliance with the terms of said contract, specifications and proceedings and the final estimate due from the City of Austin to L. E. Whitham & Company be and the same is hereby ordered paid.

That the Mayor and City Clerk be and are hereby authorized and instructed to issue, execute and deliver to L. E. Whitham & Company certificates of special assessment against the abutting property and the owners thereof, evidencing the several sums of money assessed against said property and the owners thereof respectively for their pro rata of the cost of said improvement, in accordance with the terms of said contract and proceedings.

That this resolution shall take effect and be in force from and after its passage.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Reports of Southwest Bitulithic Company and H. R. F. Helland, Consulting Engineer, stating that the paving has been completed on East Avenue from the north line of Eighth Street to the north line of Tenth Street on west side and to the north line of alley on east side, known and designated as Unit or District No. P-97, in accordance with the plans and specifications and recommending the acceptance of same, were read and ordered filed.

The Mayor then paid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF EAST AVENUE IN THE CITY OF AUSTIN, TEXAS, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COSTS OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 18th day of December, 1930, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

EAST AVENUE from the north line of Eighth Street to the north line of Tenth Street on the west side and the north line of alley on the east side, known and designated as Unit or District No. P-97; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvement above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City and have been found satisfactory and in accordance with the contract by the City Council of said City,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of East Avenue hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said Contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the Ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REGULATING TRAFFIC ON EAST TENTH STREET BETWEEN ITS INTERSECTION WITH THE ALLEY AND ITS INTERSECTION WITH BRAZOS STREET IN THE CITY OF AUSTIN, CUMULATIVE OF CERTAIN ORDINANCES HERETOFORE ORDAINED, REPEALING ORDINANCES IN CONFLICT, AND PRESCRIBING PENALTIES.

The foregoing ordinance was read the first time and laid over.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. C. Blundell, owner of the property situated at the northwest corner of East First Street and Comal Street be hereby granted a permit to install and operate a gasoline filling station in accordance with the plan hereto attached marked 2-H-163, and in accordance with the Ordinance regulating the storage and handling of gasoline as passed by the City Council of the City of Austin, April 23, 1931, and further conditioned that the filling station shall be so constructed that the ordinance prohibiting the discharge of water and liquid matters in and upon the public places in the City of Austin as passed by the City Council July 31, 1930, shall be fully complied with.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That T. J. Caldwell, owner of the property on the southwest corner of Milton and South Congress Avenue, known as 1700 South Congress, be hereby granted a permit to install and operate one gasoline pump and tank for private use only, same to be located on the rear of this property, subject to the provisions of the ordinance regulating the storage and handling of gasoline as passed by the City Council of the City of Austin, April 23, 1931.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

City Manager Johnson submitted to the Council budget for the operation of the City Building Inspector's office in the enforcement of the new Building Code, Zoning, Gasoline, and Sign Ordinances. Councilman Steck moved that the budget be approved and the City Manager authorized to carry out the plans contained therein. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The City Manager was authorized by the City Council to call for bids for a new aerial truck for the Fire Department.

The Mayor laid before the Council the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

(1) A telephone pole line in East Monroe Street from the east line of South Congress Avenue easterly approximately one and one-half block to a point 122½ feet west of the center line of Brackenridge Street, the center line of which pole line shall be 19 feet north of and parallel to the center line of said East Monroe Street.

(2) A telephone conduit in East Monroe Street beginning at a point 19 feet north of and 122½ feet west of the intersection of the center line of Brackenridge Street and the center line of that portion of East Monroe Street that is west of said Brackenridge Street.

Thence S 19° West 7 feet with the center line of an underground conduit to a point 12 feet north of the center line of said East Monroe Street.

Thence S. 70°59' East 122.5 feet with the center line of said conduit, which center line is 12 feet north of and parallel to the center line of said East Monroe

Street, to a point on the center line of Brackenridge Street.

Thence S.  $40^{\circ}36'$  East 75.95 feet with the center line of said conduit to a point 22 feet north of the center line of that portion of East Monroe Street that is east of Brackenridge Street and from which point the center line of said Brackenridge Street bears N.  $70^{\circ}59'$  West 65.54 feet.

Thence S.  $70^{\circ}59'$  East 109.5 feet with the center line of said conduit which center line is 12 feet north of and parallel to the center line of said East Monroe Street to a point on a telephone pole line assignment on the west side of Drake Avenue.

Note: All bends used in the underground conduit line described above shall have a radius not greater than 5 feet, and all parts of said conduit shall have a cover of at least  $2\frac{1}{2}$  feet.

(3) A telephone pole line in East Monroe Street from Drake Avenue to Travis Heights Boulevard, the center line of which pole line shall be 22 feet north of and parallel to the center line of said East Monroe Street.

(4) A telephone conduit in East Monroe Street at South Congress Avenue, beginning at a point on a manhole in South Congress Avenue, which point of beginning is 19 feet north of and 20 feet east of the intersection of the center line of South Congress Avenue and the center line of said East Monroe Street.

Thence: in an easterly direction 19 feet north of and parallel to the center line of said East Monroe Street a distance of 40 feet to the east line of South Congress Avenue.

Note: The pavement at South Congress Avenue shall be tunneled and due precaution shall be taken to prevent the breaking of said pavement during the course of construction of this conduit, or after said conduit has been constructed.

That the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed shall be under the supervision and direction of the City Manager.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council for its second reading the following ordinance:

AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN THE CITY OF AUSTIN, TEXAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

The above ordinance was read the second time and Mayor McFadden moved that the rule be suspended and the ordinance passed to its third reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time and Mayor McFadden moved that same be finally passed. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, on account of the unemployment situation, it is deemed advisable by the City Council of the City of Austin to appoint an investigator of labor conditions, whose duties shall be to investigate the record of all persons applying for work with the City, or with contractors who are working for the City, to the end that Austin citizens may be given the preference in such employment; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the office of Investigator of Labor be created; that there shall be

no remuneration for such services.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Pannell nominated Joe Amstead, Sr., for the position of Investigator of Labor. Nomination was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE CREATING AND ESTABLISHING  
FIRE ZONES IN THE CITY OF AUSTIN, AND  
REPEALING ALL ORDINANCES IN CONFLICT  
HEREWITH, AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and Councilman Pannell moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Steck, and same prevailed by the following vote; Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REGULATING THE ERECTION,  
CONSTRUCTION, LOCATION, MAINTENANCE  
AND REMOVAL OF SIGNS IN THE CITY OF  
AUSTIN, PROVIDING A PENALTY FOR THE  
VIOLATION OF THIS ORDINANCE, REPEAL-  
ING ALL ORDINANCES IN CONFLICT HERE-  
WITH AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and Councilman Pannell moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Mueller moved that W. S. Dunham be granted permission to remove the picture of his relative, Ex-Mayor W. P. DeNormandie, from the City Hall, with the provision that should the City ever desire a copy of this picture that same will be furnished it. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Pannell moved that the Council recess until ten o'clock A. M., Friday, May 1st. Motion was seconded by Mayor McFadden, and same prevailed by the following